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ALSTON&BIRD LLP

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704-444-1000
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DATE: November 18, 2003

TO: Customer Service of the Office of Initial Patent Examination at the USPTO

FROM: Kay Costanza, Administrative Patent Paralegal
Application No. 10/072,789

This application was filed February 8, 2002, and we have had no office actions. When inquiring about this application, Mr. Tucker of the OIPE said we should fax our response to the Notice to File Missing Parts (which as indicated by the postcard was timely filed).

Attached are: 1) Notice to File Missing Parts; 2) Response; 3) Copy of our postcard; 4) Copy of Substitute Specification (requested in missing parts); 5) Copy of Declaration (requested in Missing Parts)

however; the Declaration was properly filed with the Application, and the following is submitted as proof: 6) Copy of the Transmittal Form indicating the Declaration from the parent application was enclosed; 7) Copy of our postcard indicating the four-page Declaration was enclosed.

Please contact me if further evidence is needed or if we need to do something further to move this application to examination. (704) 444-1171
Thank you.

NO. OF PAGES:
(Including cover page) 36

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USER CODE: COSTK FAX NUMBER: (703) 746-4060
CLIENT/MATTER: 038190/244112
REQUESTED BY: Kay 1171 VOICE NUMBER:

Alston & Bird



UTILITY PATENT APPLICATION TRANSMISSION		Attorney Docket No. 38190.244112
(Only for new nonprovisional applications under 37 CFR 1.53(b))		First Inventor or Application Identifier: Forrest et al.
		Title of Invention: FRICITION STIR GRAIN REFINEMENT OF STRUCTURAL MEMBERS
		Express Mail Label No. EL 910299218 US

ADDRESS TO: BOX PATENT APPLICATION
COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: R. Scott Forrest and Douglas J. Waldron

Assignee of this invention is The Boeing Company

1. The Filing Fee has been calculated as shown below.
2. Applicant claims Small Entity Status. See 37 CFR 1.27.

	<u>No. Filed</u>	<u>No. Extra</u>	<u>Small Entity Rate</u>	<u>Large Entity Fee 0</u>	<u>Large Entity Rate</u>	<u>Large Entity Fee 1</u>
BASIC FEE				\$0		\$740
TOTAL CLAIMS:	31 - 20 =	11	X 9 = \$0		x 18 = \$198	
INDEP CLAIMS:	4 - 3 =	1	X 42 = \$0		x 84 = \$84	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+140 = \$		+280 = \$	
*If the difference in Column 1 is less than zero, enter "0" in Column 2.			TOTAL \$		TOTAL \$ 1022	

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. 16-0605.

- a. Fees required under 37 CFR 1.16 (National filing fees).
- b. Fees required under 37 CFR 1.17 (National application processing fees).
- A check in the amount of \$ 1,022.00 for the filing fee is enclosed.
- The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
3. Specification; Total Pages 26
4. 12 Sheets of Drawing(s) (3 color photographs of drawing sheet 5) (35 USC 113)
5. Declaration and Power of Attorney; *[Total Pages 4]*
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

Commissioner For Patents Date Mailed: 2/08/02
Washington, DC 20231 Atty. Dkt. No. 38190-244112

Kindly acknowledge receipt of the accompanying DIVISIONAL PATENT

APPLICATION with Application Transmittal Cover Sheet for:
Inventor(s): Forrest et al.

Title of Invention: FRICTION STIR GRAIN REFINEMENT OF
STRUCTURAL MEMBERS; Pages of Spec. (including claims and abstract) 26;
No. of Claims 31; No. of Drawing Sheets 12 (including 3 color photos of sheet
5); Declaration Enclosed Yes (4 pages); IDS with PTO 1449 Enclosed Yes;
(No. of 1449 Cites 9); Other Documents: Petition to Accept Color Photograph
As Drawing; Check(s) Enclosed \$1,022.00 filing fee; \$130.00 Petition fee for
color photo; Please place office stamp hereon and Return Postcard to:
HBW/E.Kelly ALSTON & BIRD LLP

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